

Erwin Chemerinsky (*pro hac vice*)
echemerinsky@law.berkeley.edu
Claudia Polsky (State Bar No. 185505)
cpolsky@law.berkeley.edu
U.C. BERKELEY SCHOOL OF LAW
Law Building
Berkeley, CA 94720-7200
Telephone: (510) 642-6483

Elizabeth J. Cabraser (State Bar No. 83151)
ecabraser@lchb.com
Richard M. Heimann (State Bar No. 63607)
rheimann@lchb.com
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111
Telephone: (415) 956-1000

Anthony P. Schoenberg (State Bar No. 203714)
tschoenberg@fbm.com
Donald Sobelman (State Bar No. 184028)
dsobelman@fbm.com
Linda S. Gilleran (State Bar No. 307107)
lgilleran@fbm.com
Dylan M. Silva (State Bar No. 306363)
dmsilva@fbm.com
Kyle A. McLorg (State Bar No. 332136)
kmcclorg@fbm.com
Katherine T. Balkoski (State Bar No. 353366)
kbalkoski@fbm.com
Farella Braun + Martel LLP
One Bush Street, Suite 900
San Francisco, California 94104
Telephone: (415) 954-4400
Facsimile: (415) 954-4480

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NEETA THAKUR, et al.,

Plaintiffs,

vs.

DONALD J. TRUMP, et al.,

Defendants.

Case No. 3:25-cv-04737-RL

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION AND
PROVISIONAL CLASS CERTIFICATION
AS TO DEPARTMENT OF ENERGY**

Date: December 18, 2025

Time: 10:00 AM

Judge: Hon. Rita F. Lin

[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION AND
PROVISIONAL CLASS CERTIFICATION - Case
No. 3:25-cv-04737-RL

46686\20747416.2

1 Plaintiffs' Motion for Preliminary Injunction and Provisional Class Certification
 2 ("Motion") came before this Court on December 18, 2025. The Court, after considering the
 3 briefing and argument of the Parties, and for good cause shown, HEREBY ORDERS that a
 4 preliminary injunction is entered as follows:

5 1. The Third Form Termination Class consists of:

6 All University of California researchers, including faculty, staff,
 7 academic appointees, and employees across the University of
 8 California system who are named as principal researchers,
 9 investigators, or project leaders on the grant applications for
 10 previously awarded research grants by the DOE that are terminated
 11 by means of a form termination notice that does not provide a grant-
 12 specific explanation for the termination that states the reason for the
 13 change to the original award decision and considers the reliance
 14 interests at stake, from and after January 20, 2025.

15 Excluded from the class are Defendants, the judicial officer(s)
 16 assigned to this case, and their respective employees, staffs, and
 17 family members.

18 2. As to the Third Form Termination Class:

- 19 a. All grant terminations by the Department of Energy ("DOE") communicated by
 20 means of a form termination notice that does not provide a grant-specific
 21 explanation for the termination that states the reason for the change to the original
 22 award decision and considers the reliance interests at stake, which result in the
 23 termination of funding as to a member of the Form Termination Class, are
 24 **VACATED.**
- 25 b. DOE is **ENJOINED** from giving effect to any grant termination that results in the
 26 termination of funding as to a member of the Third Form Termination Class, where
 27 the termination was communicated by means of a form termination notice that does
 28 not provide a grant-specific explanation for the termination that states the reason
 for the change to the original award decision and considers the reliance interests at
 stake.

//

c. DOE shall **RESTORE** the affected members of the Third Form Termination Class to the status quo and **REINSTATE** the terminated grants.

3. The Equal Protection Termination Class consists of:

All University of California researchers, including faculty, staff, academic appointees, and employees across the University of California system who are named as principal researchers, investigators, or project leaders on the grant applications for previously awarded research grants by the DOE that were included in the 314 grants that DOE terminated on or around October 2, 2025, which Plaintiffs allege was done in violation of the equal protection guarantee of the Fifth Amendment.

Excluded from the class are Defendants, the judicial officer(s) assigned to this case, and their respective employees, staffs, and family members.

4. As to the Equal Protection Termination Class:

a. All of the 314 grant terminations effectuated by DOE in October 2025 that resulted in the termination of funding as to a member of the Equal Protection Termination Class, are **VACATED**.

b. DOE is **ENJOINED** from giving effect to any grant termination that results in the termination of funding as to a member of the Equal Protection Termination Class, where the termination was among the 314 grant terminations effectuated by DOE in October 2025.

c. DOE shall **RESTORE** the affected members of the Equal Protection Termination Class to the status quo and **REINSTATE** the terminated grants.

5. This relief applies on a prospective basis. While this matter remains pending, any future grant terminations by DOE meeting either or both of the above criteria are **VACATED** upon issuance, and the DOE is **ENJOINED** as to those terminations in the manner stated above.

6. This order **SHALL** remain in effect until further order of the Court.

This injunction shall apply to the and any officers, agents, servants, employees, or

//

1 attorneys of DOE or any of its subagencies. This injunction shall further apply to persons who are
2 in active concert or participation with DOE's officers, agents, servants, employees, and attorneys,
3 including, but not limited to, Defendant Department of Government Efficiency. Fed. R. Civ. P.
4 65(d)(2).

5
6 **IT IS SO ORDERED.**

7
8
9 DATED: December __, 2025

The Honorable Rita F. Lin
United States District Court Judge